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Practitioner's Docket No. 1030-004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Snyder  
Application No.: 10/821,745 Group No.: 1615  
Filed: 04/09/2004 Examiner: Ghali, Isis AD  
For: SUSTAINED RELEASE SURGICAL DEVICE AND METHOD OF MAKING AND USING  
THE SAME

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ELECTION REQUIREMENT PURSUANT TO 35 U.S.C. 121 and AMENDMENT**

Dear Sir:

This response addresses the Election/Restriction requirement dated November 16, 2007 with respect to the above-identified patent application. Applicants provisionally elect, with traverse, to proceed with the Invention which includes Claim 11. In the interest of expediting prosecution and facilitating examination, Applicants have amended Claim 11. By the amendment and cancellation of the remaining claims, Applicants believe the remainder of the Election Requirement is now moot. Accordingly, claim 11 is now pending in the application and claims 1-10 and 12-20 have been cancelled, without prejudice, to pursue them by way of rejoinder, a divisional or continuation application. Examination of Claim 11 is respectfully requested.

If the Examiner has any questions with respect to this communication, the Examiner is kindly urged to call the undersigned.

**CERTIFICATION OF TRANSMISSION**

I hereby certify that, on the date shown below, this correspondence is being filed EFS at [SBPTO.GOV](http://SBPTO.GOV).

Date: 1-15-08

## Symptoms

Shekley L. Edla

(type or print name of person certifying)